

MINUTES OF MEETING OF BOARD OF PUBLIC WORKS OF OCTOBER 2ND, 1935.

The Board of Public Works met in the offices of the Governor, in the State House, at Annapolis, on Wednesday, October 2nd, 1935, it being the regular quarterly meeting of the Board.

Present:

Harry W. Nice, Governor.  
Wm. S. Gordy, Jr., Comptroller.  
Hooper S. Miles, Treasurer.

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The Secretary read to the Board the following letter from Attorney General Herbert R. O'Connor, being a report of an investigation made by him and Mr. Blakeman, State Budget Director, of a possible fire hazard in the vicinity of the State Tobacco Warehouse, in the event a filling station were erected there.

THE STATE LAW DEPARTMENT

September 30th, 1935.

Board of Public Works,  
Annapolis, Md.

Honored Sirs:-

Following the receipt of advices from Mr. Blakeman that a survey of the premises, adjacent to the State Tobacco Warehouses, was to be made for the purpose of determining the possible fire hazard resulting from the installation of a gasoline pump and tank on the premises known as 6-10 E. Perry St., I am in receipt of expressions of opinion on the subject. The communications I received are from Mr. A. J. Hunter, who states that he was requested by Hon. Hooper S. Miles, State Treasurer, to make the inspection; and from Thomas B. Streett, Superintendent of the Rating Department of the Association of Fire Underwriters of Baltimore City. Both of the communications are herewith enclosed.

Your Board will note that both opinions are to the effect that the installation proposed will not affect the rates on the State Tobacco Warehouses, and Mr. Hunter's further expressed opinion is to the effect that no additional fire hazard will result from the installation.

I beg to remain,

Very truly yours,

/s/ Herbert R. O'Connor.

HRO'C:McS

Attorney General.

letter,  
In view of the Attorney General's supplemented  
by letters mentioned in his report, the Board decided there  
was no occasion to take any action in connection with any  
protest which might be made against the granting of a permit  
by the City for the erection of a filling station.

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The following letter addressed to the Board  
of Public Works by the Rotary Club of Annapolis, the Civitan  
Club of Annapolis and the Chamber of Commerce of Annapolis,  
was read and considered -

October 2, 1935.

Board of Public Works  
State of Maryland,  
Annapolis, Md.

Gentlemen:-

Since the Anne Arundel County Board of Education moved its of-  
fices from the Old Treasury Building, two or three years ago, this  
building has remained closed. You, no doubt, realize the interest  
which tourists and other persons have in this old structure. Besides  
these interests you realize that the building will deteriorate just  
as rapidly uninhabited as it would if it were in use.

The Chamber of Commerce of Annapolis has occupied a basement room  
in Carvel Hall for the past ten or fifteen years. The civic organiza-  
tions of Annapolis, together with the Chamber of Commerce, join in ask-  
ing you to permit the Annapolis Chamber of Commerce to use this building  
for office purposes without cost. The Chamber of Commerce is, of course,  
a civic and commercial organization, yet non-political, and it does con-  
tribute a great deal to the life of the community.

The State's compensation for granting these requests in this instance  
will be the careful use of the building and its use as an information bur-  
eau. The Chamber of Commerce's secretary and assistant secretary will be  
happy to distribute various pamphlets about Annapolis and will be ready  
and willing to answer questions which may be asked of them.

In the past, hundreds of tourists have inspected the Old Treasury  
Building annually and it is unfortunate that it must remain closed now.  
We feel that you can do the State a valuable service, as well as assist  
the Chamber of Commerce, by establishing more suitable offices for the  
Chamber.

Very truly yours,

/s/ David B. Jenkins  
For the Rotary Club of Annapolis,

/s/ R. Thornton Strange,  
For the Civitan Club of Annapolis,

.s. Wm. U. McCready,  
For the Chamber of Commerce of Annapolis

The Board approved the request of the three organizations and agreed to make available to the Chamber of Commerce of Annapolis the Old Treasury Building, for the purposes as outlined in the foregoing letter until such time as the State would feel it would have need for the building.

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The following letter from Henry Powell Hopkins, Architect, relative to repairs to boilers at Eastern Shore State Hospital, was read and considered -

HENRY POWELL HOPKINS  
ARCHITECT  
10 E. Mulberry St.  
Baltimore, Maryland.

September 25, 1935.

Mr. William S. Gordy, State Comptroller,  
Comptroller's Office,  
Annapolis, Maryland.

Re: Repairs to Boilers  
Eastern Shore State Hospital.

Dear Mr. Gordy:-

Following a conference my Engineer, Mr. Posey, had with you relative to additional brick work on repairs to the boilers, enclosed is a copy of a letter I have sent Mr. Brohawn after receiving instructions from Mr. Milbourne, Chairman of the Board of Managers, all of which awards this additional work to Mr. Charles E. Brohawn for the sum of \$1,020.00 which is less than the lowest estimated sum named in the original bids under Alternates.

Very truly yours,

/s/ Henry P. Hopkins,  
Architect.

HPH:MKW  
Enclosure  
CC - Mr. Dorsey Todd  
Secretary of the Board of Managers of the  
Eastern Shore State Hospital.

Mr. Lewis M. Milbourne, Chairman of Board

Mr. Gordy advised the Board relative to conditions at the Hospital in connection with the work which made the additional work mentioned in Mr. Hopkin's letter necessary and the Board agreed to approve the awarding of the additional work to Mr. Charles E. Brohawn for the sum of \$1,020.00.

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The following letter from Riggin Buckler, Architect, for Maryland Tuberculosis Sanatorium and letter from Col. Harry C. Jones, State Employment Commissioner, addressed to Doctor Victor F. Cullen, Superintendent, relative to the employment of a foreman in connection with the work to be done at the Eastern Shore Branch of the Maryland Tuberculosis Sanatorium, were read and considered

BUCKLER & FENHAGEN ARCHITECTS  
325 North Charles St.  
Baltimore, Maryland.

September 30th, 1935.

William S. Gordy Esq.,  
Board of Public Works,  
Annapolis, Maryland.

Dear Mr. Gordy:-

For a number of years Dr. Victor F. Cullen, Superintendent of the Maryland Tuberculosis Sanatorium, has done his own construction.

With this firm as architects, he has constructed the Nurses Home at Sanatorium and the Childrens Ward at Henryton.

As an illustration of the saving he has effected, we took bids on the Henryton building, and the lowest was \$63,000.00. Dr. Cullen built, equipped, paid architects fee and constructed a road to the building for \$55,000.00. This building and the Nurses Home were both of brick and reinforced concrete construction, and were completed in strict accordance with our plans and specifications.

Dr. Cullen has employed Mr. Lewis Chenoweth as his foreman of construction. Mr. Chenoweth was formerly with the Tase-Norris Company when they built the Reception Hospital at Sanatorium. He married while employed on that project, and has since lived near Sabillasville, Md. Mr. Chenoweth is a very competent man, and has been entirely satisfactory on all of the work.

We are now preparing plans and specifications for additions to the Pine Bluff Sanatorium, and Dr. Cullen wishes to do this work in the same manner the above two projects were constructed.

Col. Harry C. Jones, State Employment Commissioner, has ruled, however, that Mr. Chenoweth cannot be employed for this purpose.

I enclose a copy of a letter from Col Jones in regard to his employment on some very necessary repairs to the Shacks at Sanatorium.

If we are compelled to put this work at Pine Bluff out on contract, it will be necessary either to seriously curtail the construction or obtain additional funds. In our opinion the work contemplated, including equipment, architects fee, etc., can be done within the appropriation of \$35,000.00, but if it is done under contract, it will require at least \$42,000.00.

In doing his work Dr. Cullen has always employed local labor, except for the foreman. All materials are bought through the Central Purchasing Bureau and from concerns within the State, except where impossible.

Dr. Cullen has requested that this matter be brought to the attention of your Board, trusting that he may be allowed to continue this method of construction.

I might add that last Summer I took a party of Government Architects and consultants over the Childerns Ward at Henryton, and when I told them the building was built and equipped at less than \$900.00 per bed or .22 cents a cubic foot, they were astounded.

Very truly yours,

/s/ Riggin Buckler.

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STATE EMPLOYMENT COMMISSIONER

Dr. Victor F. Cullen, Superintendent,  
Maryland Tuberculosis Sanatorium,  
State Sanatorium, Maryland.

Dear Dr. Cullen:

Your letter of 31st ultimo received. Authority is hereby granted for the employment of Lewis W. Chenoweth as an emergency employee for the period of 60 days, beginning October 1st. The authority for this employment will expire on December 1st, and, as he can not be reemployed on the same work, please arrange your program accordingly.

Very truly yours,

/s/ Harry C. Jones,  
Commissioner.

The Board was of the opinion since the funds for payment for the work are available out of the Emergency Bond Issue of 1935, and the Act creating that loan provides that all contracts made for work to be done at State Institutions are subject to the approval of the Board of Public Works, the matter of employing a foreman to supervise the construction of the work was a matter for approval of the Board of Public Works, and the Board agreed that Dr. Cullen should be allowed to employ Mr. Lewis Chenoweth as foreman for the work to be done at the Eastern Shore Branch of the Maryland Tuberculosis Sanatorium until such time as the work shall have been completed.

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The following letter from Maryland Training School for Boys was read and considered -

MARYLAND TRAINING SCHOOL FOR BOYS

Loch Raven. Md.  
Sept 28, 1935.

Board of Public Works,  
State House,  
Annapolis, Md.

Gentlemen:-

Attention, Mr. J.O. McCusker, Sec'y.

In our balance of construction and equipment funds we have the following items-

Reconditioning of Greenhouses	\$501.70
Educational and Vocational Building (Equipment Fund)	27.58
Charles Cottage Account	23.74

Request is presented for authority to carry forward the amount of \$501.70 for reconditioning greenhouses from the 1934-35 construction budget to 1935-36 construction budget. In explanation it is stated that it has been impossible to complete the reconditioning of the greenhouses as a training project during the fiscal year 1934-35.

Request is made for authority to transfer \$27.58 from Educational and Vocational Building Equipment Fund and \$23.74 from Charles Cottage Fund to fund for reconditioning greenhouses, thus closing these two accounts.

This request is presented by authority of the Board of Managers.

Very respectfully yours,

/s/ James A. Pratt,  
Superintendent.

JAP/N

The Board approved the request of the Institution that the funds remaining to the credit of the cost of reconditioning of the greenhouses amounting to \$501.70 to be carried forward, and that the balances of \$27.58 in the Educational and Vocational Building Equipment Fund and \$23.74 in the Charles Cottage Account, should be made available for the purpose of reconditioning greenhouses to be used in connection with the balance of \$501.70, as mentioned above.

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The following letter from the State Law Department, dated September 20th, 1935, relative to a claim of the State against the estate of Reese M. Bowman, former sheriff of Harford County, was read and considered -

THE STATE LAW DEPARTMENT

September 20, 1935.

Hon. Wm. S. Gordy, Jr.,  
State Comptroller,  
Annapolis, Md.

Dear Mr. Gordy:

I have your letter of September 10th, in regard to the claim against the estate of Reese M. Bowman, former Sheriff of Harford County, referring to previous letter of last January in reference to this matter.

Following your previous letter, I made a number of efforts to get in touch with the Attorney for the administrator but have been unable to accomplish anything by way of settlement. You will recall that Mr. Lane was of the opinion as expressed in his letter to you of December, 1934, that of the total claim of over \$5,000 set up by the State Auditor, the sum of \$4,130 was not recoverable by the State, but that the cause of action, if any, would have to be asserted by the former deputies of the deceased Sheriff. As to the balance of the claim, it appeared to involve only the amount of depreciation which should be allowable and represented a difference of opinion on the question of fact between the Sheriff and the State Auditor.

I find that this matter was again reviewed in a letter to you under date of January 8, 1935, which suggested that your office might reach some compromise with the administrator, but since neither your office nor this department has been able to obtain any offer of settlement, I would suggest that same be written off as uncollectible and the account closed.

Yours very truly,

/s/ Wm. L. Henderson.

Asst. Attorney General.

WLH:HF

The Board approved the suggestions contained in the letter of the State Law Department that the account be written off as uncollectible.



*State Property*

The Comptroller brought to the attention of the Board the fact that there would be some old furniture which should be disposed of after the offices of the Treasurer and Comptroller, in the Court of Appeals Building, are refurnished.

The Board authorized the Secretary to dispose of this old furniture to the best advantage.

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The following letter from the State Law Department, dated September 28th, was read and considered -

THE STATE LAW DEPARTMENT

September 28, 1935.

Joseph O. McCusker, Esq.,  
Chief Deputy Comptroller,  
Annapolis, Maryland.

Dear Mr. McCusker:-

I reply to your letter of September 23rd, in reference to the insolvent estate of the Motor-Ez Oil Company in the Circuit Court No. 2 of Baltimore City.

I have looked up this matter and find that all of the assets for distribution were awarded to the United States Government under a prior claim for taxes. There were only \$1400. assets for distribution and the Government's claim was in excess of \$5,000. In my opinion there is nothing further the State can do to enforce its claim.

Yours very truly,

/s/ Charles T. LeViness, 3rd.  
Asst. Attorney General.

CTL:EH

The Comptroller explained that gasoline taxes due from the Motor-Ez Oil Company accrued prior to the time when it became necessary

for gasoline dealers to file a surety bond with the Comptroller guaranteeing payment of taxes due by them. The claim of the State amounted to \$5,218.60.

The Board was in accord with the views of the State Law Department that there is no possibility of the State collecting any part of this claim, and approved the writing off of it as uncollectible.

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*Legislature*

The Secretary brought to the attention of the Board some correspondence relating to furnishing James H. Preston, Speaker of the House of Delegates of the Session of 1894, with a gavel to replace the one which he used at that Session, and which has become lost or stolen.

The Secretary was authorized to look into the question of securing a duplicate gavel, and to arrange for this in the event the cost of a new gavel would be reasonable.

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*Mael.*

The Secretary brought to the attention of the Board the fact that there has been received from Doctor W.P.E. Wyse, Pikesville, a letter advising that the Association represented by him would be unable to appear before the Board in connection with the restoration of the Pikesville Arsenal and Confederate Soldiers Home, but that the Association was anxious to appear before the Board at some time when the Board would be holding a meeting in Baltimore.

The Board agreed that there would be ample time for Doctor Wyse and his Committee to appear in the interest of his project.

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Incl.

The Secretary brought to the attention of the Board a file of correspondence which had been turned over to him by the Governor in connection with an arrest which had been made in Prince George's County by local police of Mr. Snga Nilkamhaeng, Third Secretary of the Legation of Siam, who was required to post collateral of \$16.10. Protest was made by the Secretary of State of the United States of the arrest of this Attache of the Siamese Legation, because of the fact that he is entitled to immunity from the laws of our Country.

The Governor explained that Attaches of Foreign Governments are exempt from process in our Country where violations of our laws are involved, and that in this case there should not have been any collateral required of the Secretary of the Legation. The procedure would be in the case of violations of our laws to report the violations to the official representative of the Foreign Country in the United States, with the expectation that the Foreign Country would take such measures as were necessary.

The Board agreed that the \$16.10 collected in this case should be returned, and that a letter should be written to the Secretary of State of the United States advising of the refund at the instance of the Board of Public Works of the State.

The Board directed that the refund should be made out of funds collected by the Commissioner of Motor Vehicles from fines and forfeitures.

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The Secretary brought up the question of the condition of the heating plant and radiators at Springfield State Hospital, and asked whether the Governor had brought this matter to the attention of Mr. Elmer Hammond, newly appointed State Engineer, or whether the Secretary of the Board of Public Works should advise Mr. Hammond that it was the desire of the Board that he, Mr. Hammond, make an investigation of the condition of the heating plant at Springfield State Hospital, and report his findings to the Board.

The Governor stated that he had mentioned this matter to Mr. Hammond, but he thought that the Secretary of the Board should formally advise Mr. Hammond of the Board's wishes in the matter.

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10/2/35

In connection with budget allocations and the distribution of the allocations among the various items of budget schedules the following resolution was adopted -

RESOLVED, That the distributions of Reserve Fund allocations made by the Board August 7th to various items of the Budget appropriations presented as "breakdowns" by the Budget Director August 22nd, and reviewed by the Board are Budget Amendments and approved as such by the Governor.

Doctor George H. Preston, Commissioner of Mental Hygiene, appeared before the Board and submitted a certified copy of Resolution passed by the Board of Managers of Springfield State Hospital. The Secretary was directed to incorporate the resolution in the Minutes of the Meeting-

The following motion was made by Dr. Chas. F. Goodell and seconded by Mr. Frank B. Beasman:

"Moved that Dr. Preston, as Commissioner of Mental Hygiene, assume the temporary charge of the Springfield Hospital, giving one-half of his time to the work and that Dr. Robert V. Seliger be appointed, on a salary of \$200.00 a month, in charge of the medical direction of the Hospital until such time as a permanent superintendent is elected. The payment of the salary to Dr. Seliger is conditioned upon the approval of the Board of Public Works."

The above resolution was passed by the Board of Managers of the Springfield State Hospital, September 28, 1935.

/s/ C. Lowndes Bennett  
Secretary,  
Board of Managers

The Board approved the resolution adopted by Springfield State Hospital, and authorized that payment be made to Doctor Seliger out of the appropriation for the salary of the Clinical Director in the Budget of Springfield State Hospital.

Mr. Blakeman, State Budget Director, and Mr. McCusker, the Board's Secretary, took up with the Board the question of making an allotment out of the Reserve Fund for 1936 to the Superintendent of Public Buildings and Grounds. It was stated that it would be necessary to allot \$2,564.92 to the Superintendent of Public Buildings and Grounds to supplement the Budget provided for the fiscal year 1936 in order to maintain salaries of the various Janitors, Watchmen, Charwomen, and others on the payroll of the Superintendent of Public Buildings and Grounds in 1936 at the rate in effect at the close of the fiscal year 1935.

It was agreed that the Hall of Records Commission should be asked to take care of the payment of salaries of Watchmen, Charwomen and a Janitor employed at the Hall of Records out of the appropriation to the Hall of Records for the fiscal year 1936, and that if the expenditure of these salaries out of the Commission's allowance for 1936 were to embarrass the Hall of Records, it would be agreeable to the Board of Public Works that any equipment which the Hall of Records Commission intends to purchase out of its own appropriation should be paid for out of funds available to the Board of Public Works received from the Federal Government as a Grant in connection with the construction of the building, provided that the amount made available to the Hall of Records Commission for equipment would not exceed the amount which the Hall of Records Commission will pay as salaries of their Janitors, Watchmen and Charwomen.

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The Comptroller brought to the attention of the Board that it would be necessary to allot out of the Reserve Fund for the fiscal year 1935 to the account out of which pensions are paid to retired employees of offices of Clerks of Court and Registers of Wills throughout the State the sum of \$1,399.54 to supplement the amount available in the Budget for the year in order that all retirement allowances be paid in that year.

It was also stated that it would be necessary to allot \$1,192.00 out of the Reserve Fund for the fiscal year 1936 in order to take care of the payment of pensions of all clerks who are entitled to receive pensions in the fiscal year 1936.

The Board approved the request of the Comptroller that the allotments for 1935 and 1936 out of the Reserve Fund, as stated, be made.

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There being no further business the meeting adjourned.

*Joseph O'Melusker*  
Secretary.